



House of Representatives

File No. 546

General Assembly

February Session, 2002

(Reprint of File No. 440)

House Joint Resolution No. 35
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 19, 2002

**RESOLUTION REJECTING THE RECOMMENDATION OF THE CLAIMS
COMMISSIONER WITH REGARD TO THE CLAIMS OF CHRISTOPHER
N. BURGESS AND RICHARD PIOTROWSKI.**

Resolved by this Assembly:

1 That the recommendation of the Claims Commissioner, file
2 numbers 15853 and 15854 of said commissioner, that no award be
3 granted to Christopher N. Burgess and Richard Piotrowski on their
4 claims against the state in excess of seven thousand five hundred
5 dollars and that permission to sue be denied, is rejected and
6 Christopher N. Burgess and Richard Piotrowski are authorized to
7 institute and prosecute to final judgment an action against the state to
8 recover damages as compensation for personal injuries allegedly
9 suffered by them on June 10, 1994. Such action shall be brought not
10 later than one year from the date of the final adoption by the General
11 Assembly of this resolution.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	Future
GF - Cost	Adjudicated Claims	Potential Significant
GF - Cost	Environmental Protection, Dept.	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution permits Christopher Burgess and Richard Piotrowski to sue the state to recover damages for personal injuries they allegedly suffered as a result of negligence by the Department of Environmental Protection.

Should judgment be rendered against the State, payment would be made from the Adjudicated Claims account in the General Fund. Under current law, the Attorney General is required to represent state agencies and departments in civil proceedings. He may choose to assign a third party to represent state entities on his behalf, in which case the Department of Environmental Protection could incur a \$25,000 - \$50,000 expense for outside legal services. However, it is anticipated that the Attorney General would represent the Department of Environmental Protection in this matter.

House Amendment "A" rejected the recommendation of the Claims Commissioner that permission to sue be denied.

OLR Bill Analysis

HJ 35

***RESOLUTION ACCEPTING THE RECOMMENDATION OF THE
CLAIMS COMMISSIONER WITH REGARD TO THE CLAIMS OF
CHRISTOPHER N. BURGESS AND RICHARD PIOTROWSKI.*****SUMMARY:**

The Office of Legislative Research does not analyze resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 41 Nay 0